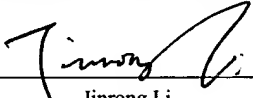


PATENT  
Docket No. 229752001400

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on January 7, 2002.

  
Jinrong Li

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Stephen KENT et al.

Serial No.: 09/831,307

Filing Date: May 8, 2001

For: A VIPOX VECTOR CODING AN HIV  
ANTIGEN AND A CYTOKINE

Examiner: Unassigned

Group Art Unit: Unassigned

**TRANSMITTAL OF DECLARATION**

Commissioner for Patents  
Washington, D.C. 20231  
Re: Serial No. 09/831,307  
Filed: May 8, 2001

Sir:

Accompanying this transmittal is the Declaration filed in response to the Notification of Defective Response dated December 6, 2001.

No fee is incurred. January 6, 2002, is a Saturday. So this filing is timely.

In the event that the transmittal letter is separated from this sequence listing and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the

cost of such petitions and/or other fees due in connection with the filing of this sequence listing  
to our **Deposit Account No. 03-1952.**

Respectfully submitted,

Dated: January 7, 2002

By: *Barry E. Bretschneider* 31,942  
Barry E. Bretschneider  
Registration No. 28,055

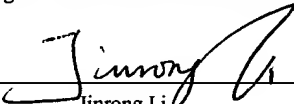
Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006-1888  
Telephone: (202) 887-1545  
Facsimile: (202)263-8396



PATENT  
Docket No. 229752001400

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on January 7, 2002.

  
Jinrong Li

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

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Serial No.: 09/831,307

Filing Date: May 8, 2001

For: A VIPOX VECTOR CODING AN HIV  
ANTIGEN AND A CYTOKINE

Examiner: Unassigned

Group Art Unit: Unassigned

**RESPONSE TO NOTICE OF DEFLECTIVE RESPONSE**

Box: Sequence Listing  
Commissioner for Patents  
Washington, D.C. 20231  
Re: Serial No. 09/831,307  
Filed: May 8, 2001

Sir:

Enclosed are a computer readable version of the Sequence Listing and Statement in Accordance with 37 CFR 1.821-1.825. This substitute copy of the data in computer readable form is filed in response to the Notice of Defective Response dated December 6, 2001. The contents of the compact disc and the computer readable form are the same and, include no new matter, as stated in the accompanying Statement. This paper is submitted to comply with the United States Patent and Trademark Office rules governing nucleotide and amino acid sequences. No new matter is added.

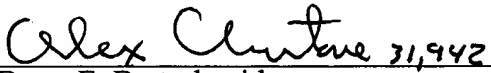
The undersigned hereby states that the content of the paper Sequence Listing filed with the application, and the computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same. In accordance with 37 CFR 1.825(d), the undersigned hereby further states that the enclosed substitute copy of the data in computer readable form is identical to that filed previously with the application on May 8, 2001.

In the event that the transmittal letter is separated from this sequence listing and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this sequence listing to our **Deposit Account No. 03-1952.**

Respectfully submitted,

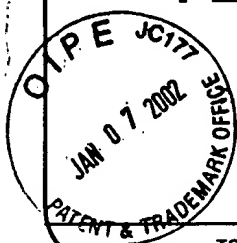
Dated: January 7, 2002

By:

  
Barry E. Bretschneider  
Registration No. 28,055

Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006-1888  
Telephone: (202) 887-1545  
Facsimile: (202) 263-8396

5000 0360  
PTO/SB/17 (09-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/831,307
Filing Date	May 8, 2001
First Named Inventor	Stephen KENT et al.
Examiner Name	to be assigned
Group Art Unit	to be assigned
Attorney Docket No.	229752001400

TOTAL AMOUNT OF PAYMENT

(\$)**65.00**

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-1952**

Deposit Account Name **Morrison & Foerster LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims	* - 20** =	Extra Claims	x	Fee from below	= \$	Fee Paid
Independent Claims	- 3** =	*	x		= \$	

Multiple Dependent

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)\*

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	65.00
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)**65.00**

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Barry E. Bretschneider	Registration No. (Attorney/Agent)	28,055	Telephone	(202) 887-1545
Signature	By Alex Chertov 31,942			Date	January 7, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

09/831,307

09/831307

A:\>DIR

Volume in drive A has no label  
Directory of A:\

File not found

1,457,664 bytes free

A:\>

Does Not Comply  
Corrected Diskette Needed

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Directory of A:\

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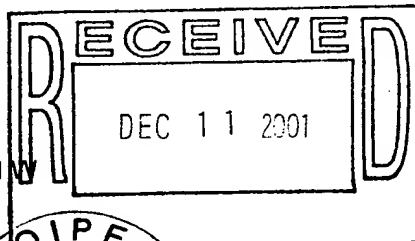


## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 900  
United States Patent and Trademark Office  
Washington, D.C. 20521  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/831,307	Stephen Kent	229752001400

Barry E Bretschneider  
Morrison & Foerster  
2000 Pennsylvania Avenue NW  
Washington, DC 20006-1888



INTERNATIONAL APPLICATION NO.	
PCT/AU99/00989	
I.A. FILING DATE	PRIORITY DATE
11/09/1999	11/09/1998

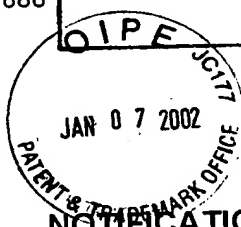
CONFIRMATION NO. 2826

371 FORMALITIES LETTER



\*OC00000007139511\*

Date Mailed: 12/06/2001



## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) has not been received.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
  - Please see the attached CRF Report.
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

DOCKETED

RS-New 1/6/02 LDH/02

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Large Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/831,307	PCT/AU99/00989	229752001400